

Criminal Justice Services Board
Minutes

May 9, 2007

Members Present

Ms. Nancy St. Clair Finch
Mr. Jeffrey Dion
Mr. Sherman Carl Vaughn, Sr.
Ms. Jerri Smith
Chief James R. Lavinder
Mr. Barry Green
Dr. Jay Malcan
Mr. Jonathan McGrady
Captain Lenmuel Terry (Proxy for Colonel Steve W. Flaherty)
Sergeant Charles J. Condon
Mr. Walter A. McFarlane
Mr. Alfred T. Dowe, Jr.
Mr. Kevin S. Hodges
Mr. Christopher R. Webb

Members Absent

Sheriff Beth Arthur
The Honorable Robert L. Bushnell
Ms. Helen Fahey
The Honorable Archer L. Yeatts, III
Mr. Edward M. Macon
Ms. Cookie Scott
Ms. D.J. Geiger
Chief A.M. "Jake" Jacocks
Sheriff Charles W. Phelps
Ms. Marla Decker
The Honorable Richard D. Taylor, Jr.
Delegate Robert Hurt
Delegate Beverly Sherwood
Senator Kenneth W. Stolle
Senator Frederick M. Quayle

DCJS Staff Present

Leonard G. Cooke
Priscilla Bowers
John Colligan
Leon Baker
Fran Ecker
Eileen Guertler
Joe Marshall
Dan Catley
Tim Paul
Janice Waddy
Mandie Patterson
George Gotschalk
Beth White

Guests

Charles Martin
Eric M. Pendleton
Thomas von Hermert
David Pastors
Sheriff Donald W. Farley

Call to Order

Chairman Green called the meeting to order at 10:30 a.m. in Salon “A” of the Stonewall Jackson Hotel and Conference Center.

Chairman Green mentioned, in the absence of Chairwoman Arthur, he would preside over the meeting of the Criminal Justice Services Board Meeting today. Chairman Green first, he thanked everyone for coming to Staunton to participate in the Board meeting and the “Blueprints” policy forum which was scheduled for later that afternoon and the next day.

Chairman Green reported that the “Blueprints” policy sessions were scheduled for this afternoon, beginning at 1:30 p.m. and tomorrow starting at 8:30 a.m., with a continental breakfast at 8:00. He informed members that should they have any questions about the “Blueprints” sessions, to please see Ms. Karen Sullivan.

At this time, Chairman Green proceeded with the business of the Board. He reminded guests and staff to please sign in for the purpose of the minutes. Chairman Green also reminded Board members to please state their name when making a motion and when seconding, and to please speak clearly for the purpose of the minutes.

Chairman Green then asked Priscilla Bowers to take the roll. Ms. Bowers called the roll and stated that there was a quorum present. Chairman Green pointed out that Dawn Smith, Assistant

Secretary for Public Safety was present at the meeting today and then welcomed her and thanked her for attending.

Approval of Minutes

Chairman Green called for a motion to accept the minutes of the March 8, 2007 Criminal Justice Services Board meeting.

Mr. McGrady made the motion and Mr. McFarlane seconded the motion to approve the minutes with no additions or corrections. Chairman Green stated that the minutes from the March 8 meeting were approved with no changes.

Director's Report

Chairman Green then called upon Director Cooke to give a brief Director's Report. Director Cooke thanked everyone for attending the meeting and the "Blueprints" sessions and gave a brief Director's report as follows:

Director Cooke thanked Vice Chairman Green for taking the reins of today's meeting and stated that Sheriff Arthur sends her regrets at not being able to be here today.

Director Cooke mentioned that we had been talking about trying to move the Board's meetings out of Richmond from time to time, in part to give people in other parts of the state a chance to see what we do, and in part to give Board members an opportunity to learn about the impact of the Board's work from people directly involved.

Director Cooke further mentioned that he was pleased that we had presentations by three programs operating in this part of the state that he hoped Board members and guests would find interesting and would give them at least a feel for the wide range of activities supported by grants from DCJS and the Board. Director Cooke continued with the following updates:

Virginia Tech

First, the tragedy at Virginia Tech has focused a great deal of attention on all matters related to campus security. You will hear from Leon Baker shortly about the work of our new Office of Campus Policing and Security and other agency initiatives that are relevant to the subject.

Re-Entry Conference

Last week, we were pleased to partner with the Office of the Secretary of Public Safety in sponsoring the Re-Entry Conference in Portsmouth, to focus attention on the importance of helping incarcerated offenders prepare to return to their communities and give them the tools they need to succeed. Director Cooke reported that by all accounts, it was a very successful event and that the re-entry programming, its availability and its effectiveness are going to be getting a lot of consistent attention in the coming months and years.

NCJA Capitol Hill Day

Director Cooke mentioned that staff had the pleasure a few days ago of participating in the National Criminal Justice Association's "Capitol Hill Day" during which we and some of our colleagues from other states visited with members of Congress and committee staff members to try to make the case for increased support for the federal government's various funding programs for local and state criminal justice agencies, particularly the Byrne Justice Assistance Grant Program (JAG). In general, their response was positive; they are aware of the important role the federal government plays in providing funds for new initiatives.

Director Cooke further mentioned that the federal fiscal 2007 appropriations, completed earlier this year were a step in the right direction. There were modest increases in some cases, or at least, no further decreases. We will be watching during the summer and fall months to see how the fiscal '08 appropriations develop.

Coming Events

Director Cooke reported that Board members should have received an invitation to the annual employee recognition awards luncheon ceremony that is scheduled for May 14, and encouraged Board members to join staff as the agency acknowledges the good work of our staff.

Also on the horizon, is our annual juvenile justice conference, "Making A Difference in Juvenile Justice," June 19-20 in Hampton. It is always very well attended; this year, we're expecting over 350 participants. Participants be able to choose from a variety of workshops, including community diversity, mentoring, and recent legislation. And, for the second time, we will award the annual Virginia Spirit of Youth Award to recognize and celebrate a young adult who has made great strides following involvement with the juvenile justice system, has overcome personal obstacles, and is today making significant contributions to society.

Finally, our Children's Justice Act Program will hold another of its *Finding Words Virginia* trainings, on June 18-22 at VCU, the second of three in 2007.

New Staff

Director Cooke mentioned that we were fortunate to have added two new members of our management team recently: Our new Chief Deputy Director, B.J. Northington. B.J. comes to us from the Department of Social Services and brings with her a great deal of management skill and state government experience. Director Cooke then asked Ms. Northington to stand and be welcomed by the Board. Next, he introduced Craig Hartley, Division Director for Policy, Planning and Research. Craig is a life-long North Carolinian and before coming to DCJS, he was an Assistant Chief of Police for the Greensboro Police Department. We are looking to Craig to help us give renewed emphasis to our planning and research responsibilities. Mr. Hartley stood and was welcomed by the Board.

Director Cooke then mentioned Sheriff Phelps' recent surgery and stated that he was still recovering and could not be here with us today.

Director Cooke also mentioned the recently renovated and re-opened Capitol; and, the Queen's visit. He stated that the ceremony went very well in spite of the weather.

Director Cooke further mentioned that the department was in the process of revising and updating the information on our website about the Board and its various committees and subcommittees, in hopes of providing more and complete information.

Finally, Director Cooke mentioned that we were hosting our second "Blueprints For Change" policy forum Wednesday and Thursday here at the Stonewall Jackson Hotel and Conference Center and we are looking forward to productive sessions and hope those who would be attending will find them to be enlightening. He stated that the white papers produced after the first "Blueprints" session, held last year, are posted on our website and we have also distributed them in "hard copy" to participants and others. We plan to do the same for this year's "Blueprints" forum. This concluded Director Cooke's report.

Chairman Green thanked Director Cooke for his report and asked the Board if they had any comments or questions. There were none.

Committee on Training (COT) Report

Chairman Green then called upon Dr. Malcan to give a brief report on the Committee on Training.

Dr. Malcan reported that the COT met this morning prior to the Board and that the major item on the agenda was the Regulations Relating to Property and Surety Bail Bondsmen. The meeting opened with the public hearings on Regulations Relating to Property and Surety Bail Bondsmen that was a continuation of the public hearing held on March 8. Lisa McGee, Acting Chief, DCJS Private Security Services presented a brief overview of the regulations and discussed its specific points. She also addressed several issues that were presented before the public hearing on March 8. The committee then heard from 5 public speakers. After hearing from members of the COT and public speakers, the committee voted unanimously to approve the Regulations Relating to Property and Surety Bail Bondsmen as proposed and made a recommendation that the Criminal Justice Services Board adopt these regulations along with Erata sheets 1 and 2.

Dr. Malcan then made a motion that the Board accept the recommendation of the Committee on Training as proposed and Mr. Hodges seconded the motion.

Chairman Green asked the Board if they had any questions or comments. There were none.

Recusals: None

Chairman Green stated that it had been motioned and seconded that the Board accept the recommendation of the Committee on Training to adopt the Regulations Relating to Property and Surety Bail Bondsmen.

This concluded Dr. Malcan's report. Chairman Green thanked Dr. Malcan for his report and asked the Board if they had any further questions or comments. There were none.

Victim/Witness Issues Subcommittee Report

Chairman Green called upon Mr. Dion to give a brief report on the Victim/Witness Issues Subcommittee report.

Mr. Dion reported that the Victim/Witness Issues Subcommittee met on March 8 and that they were pleased with the budget amendments that appropriated money to the Victim/Witness Fund for the first time. Mr. Dion stated that funds will stay solvent, at least for now.

Mr. Dion further mentioned that one of the other issues that the subcommittee is still working on is the issues related to “Restitution”. He stated that the recommendations that the subcommittee put forth did not make it out of committee during the General Assembly session. There are some issues with the cost associated with tracking and monitoring restitution, particularly with the general district courts. The subcommittee is now looking to see if they can get some changes made in the circuit courts where there is much more significant restitution ordered. This concluded Mr. Dion’s report.

Chairman Green thanked Mr. Dion for his report and asked the Board if they had any questions or comments. There were none.

Local Criminal Justice Programs

Crisis Intervention Team Grant Program (Handouts)

Chairman Green called upon Mr. Thomas von Hemert, Director for the Thomas Jefferson Area Crisis Intervention Team to give a brief report on the Crisis Intervention Team Grant Program.

Mr. von Hemert is the Criminal Justice Planner for the Thomas Jefferson Area Community Criminal Justice Board (CCJB) and stated that this Board serves 9 localities within the central Virginia area for the 16th Judicial District covering the counties of Nelson to Madison and from Charlottesville to Goochland. Mr. von Hemert gave a brief overview of the program and stated that within only a few years, he had successfully created and developed several new programs, documents and grant funds that have had significant impact on not only within his region, but within the entire Commonwealth.

Mr. von Hemert mentioned that the Crisis Intervention Team (CIT) is a well-documented and successful model of improving police interactions with people experiencing acute episodes of mental illness. The training is designed to educate and prepare police officers who come in contact with people in crisis to recognize the signs and symptoms of mental illness and to respond efficiently and appropriately to the individual. Because police officers are often the first responders in these incidents, it is essential that they understand how mental illness can alter people’s behaviors and perceptions. The trained CIT Officer is skilled at recognizing and de-escalating crises involving people with acute episodes of mental illness, while bringing an element of understanding and compassion to these difficult situations. The goal of the CIT

program is to reduce unnecessary restraint and incarceration of people with mental illness and to provide individuals with appropriate treatment in the community.

Chairman Green thanked Mr. von Hemert for his report and asked the Board if they had any questions or comments.

There were several questions raised by Board members about the program that were satisfactorily answered by Mr. von Hemert and Officer Eric Witherseed Pendleton, CIT Officer.

Blue Ridge Court Services (Handouts)

Chairman Green called upon Mr. David Pastors, Director for the Blue Ridge Court Services Agency, Staunton, Va. to give a brief report on the Blue Ridge Court Services Program.

Mr. Pastors gave a PowerPoint presentation and reported that the local probation program focuses on local responsible offenders. Over the years, pretrial services, domestic violence programming, home electronic monitoring, restorative justice and drug courts have become a part of the daily activities. Offender re-entry services and improved methods of rehabilitation through evidenced-based practices are on the horizon.

In 2006, Blue Ridge Court Services received more than 850 placements from the local courts into rehabilitative programs. Significant increases were seen in domestic violence programs as well as in the home electronic monitoring programs and the Staunton Drug Court. Much of the planning for 2007 centers around refining the services being offered to focus on assisting clients in making cognitive changes to improve their lives. Mr. Pastor's reported that plans are in progress to start a re-entry program in Staunton and they have applied for a grant through DCJS to help fund the program. This concluded Mr. Pastor's report.

Chairman Green thanked Mr. Pastors for his report and asked the Board if they had any questions or comments. Several Board members posed questions related to the programs that were satisfactorily answered by Mr. Pastors.

Regional Network Planning, Mobile Data Terminals and Crime Analysis

Chairman Green called upon Sheriff Donald W. Farley of Rockingham County Sheriff's Office to give a brief report on the Regional Network Planning, Mobile Data Terminals and Crime Analysis.

Sheriff Farley gave a brief overview of the Regional Network Planning, Mobile Data Terminals and Crime Analysis program and stated that this program is an information sharing program where Incident Based Reports (IBR's) are shared to better advance technology with other entities such as the Commonwealth Attorney's Office and others to enhance communication. This concluded Sheriff Farley's report.

Chairman Green thanked Sheriff Farley for his report and asked the Board if they had any questions or comments. There were none.

Sheriff Farley then made a positive comment regarding DCJS staff responses to requests for information.

Campus Safety and Security Update

Chairman Green called upon Mr. Leon Baker, Division Director for Law Enforcement and Regulatory Services, DCJS to give a brief update on Campus Safety and Security.

Mr. Baker reported that the newly passed HB 1036 passed by the 2006 General Assembly session tasked DCJS with the responsibility of establishing an office of Campus Safety and Security effective July 1. Mr. Baker stated we are already ahead of the game. DCJS has already created the office of Campus Safety and Security and has hired 2 employees.

With the establishment of HB 1036, DCJS is also responsible for establishing: 1) a certification program for Campus Security Officers and 2) to provide technical assistance to both campus police departments and campus security departments.

Mr. Baker mentioned that, in the meantime we have already established an Advisory Committee of which the focus is on training standards for campus security officers. The committee is comprised of Police Chiefs, Campus Police Chiefs, Campus Security Directors, Faculty, students and others.

The department was also tasked with the responsibility of ensuring that campus police and security organizations understand the requirements of legislation as it pertains to the "Clery Act". The "Clery Act" is a mandatory requirement for all institutions of higher learning that receive federal Title IV funding to report serious crimes that have occurred on their campuses. A conference is scheduled for next week. This concluded Mr. Baker's report.

Chairman Green thanked Mr. Baker for his report and asked the Board if they had any questions or comments. There were none.

Consideration of Grant Applications

Juvenile Justice and Delinquency Prevention (JJDP) Title II (New and Continuation)

Chairman Green called upon Mr. Charles Martin to give a brief report on the JJDP Title II Grants.

Mr. Martin reported that the Board had before them summaries for 21 new JJDP Title II applications. A total of approximately \$600,000 is available to fund new programs. Applications were selected through a competitive process by a grants subcommittee of the Advisory Committee on Juvenile Justice and approved by the full Advisory Committee. Mr. Martin stated that the Advisory Committee on Juvenile Justice (ACJJ) recommends funding 10 new JJDP Title II applications as indicated in the summary and denying the others due to insufficient funds.

Mr. Martin further stated that included in Board member summaries of new JJDP Title II applications were 3 applications that the ACJJ recommends funding using the Juvenile

Accountability Block Grant Award. They include the grant to the Department of Correctional Education and 2 grants to the Department of Criminal Justice Services.

Mr. Martin stated that there were also 11 JJDP Title II continuation applications. The ACJJ recommends funding 10 of the applications and denying 1 because it had exhausted its 5 year award period.

Mr. Martin then asked that the Board accept the recommendations of the Advisory Committee and award funding in the recommended amount to 10 new JJDP Title II grants, 10 JJDP Continuation grants and fund 3 JJDP applications using JABG funds. This concluded Mr. Martin's report.

Chairman Green thanked Mr. Martin for his report and asked the Board if they had any questions or comments. Mr. McGrady inquired about Floyd County. Mr. Martin answered the question satisfactorily. Dr. Malcan then made a comment.

Chairman Green then called for a motion to accept the recommendations of the Advisory Committee on Juvenile Justice as stated above.

Dr. Malcan made a motion and Mr. Vaughn seconded the motion. Chairman Green stated that it had been motioned and seconded that the Board accept the recommendations of the Advisory Committee on Juvenile Justice as stated above.

Recusals:	Mr. Christopher Webb	Campbell County
		Lynchburg City
	Mr. Alfred Dowe	Roanoke City
	Chief James Lavinder	Roanoke City
	Sargeant Charles Condon	Va. Beach
	Mr. Walter McFarlane	JABG Grants

Juvenile Justice and Delinquency Prevention (JJDP) Title V (New and Continuation)

Chairman Green called upon Mr. Martin to give a brief report on the JJDP Title V Grants.

Mr. Martin reported that the Board had before them 3 Title V continuation grants (Bristol, Charlottesville, Newport News). He further stated that the ACJJ recommends funding all 3 in the recommended amounts. This concluded Mr. Martin's report.

Chairman Green thanked Mr. Martin for his report and asked the Board if they had any comments or questions. There were none.

Chairman Green then called for a motion to accept the recommendations of the Advisory Committee on Juvenile Justice to fund all 3 Title V continuation grants. Mr. Webb made the motion and Mr. Hodges seconded the motion. Chairman Green stated that it had been motioned and seconded that the Board accept the recommendations of the Advisory Committee on Juvenile Justice as stated above.

Recusals: None

Justice Assistance Grants (JAG)

Chairman Green called upon Mr. Martin to give a brief report on the JAG (Juvenile Justice) continuation grants.

Mr. Martin reported that the Board had before them 3 Byrne continuation grants (Appalachian Juvenile Commission, Richmond City, Supreme Court) that were considered by the grants subcommittee of the Advisory Committee on Juvenile Justice and the full committee. The committee recommends continued funding for all. This concluded Mr. Martin's report.

Chairman Green thanked Mr. Martin for his report and asked the Board if they had any questions or comments. There were none.

Chairman Green then called for a motion to accept the recommendations of the Advisory Committee on Juvenile Justice to fund all 3 grants. Mr. Vaughn made the motion and Mr. McFarlane seconded the motion. Chairman Green stated that it had been motioned and seconded that the Board accept the recommendations of the Advisory Committee on Juvenile Justice as stated above.

Recusals: Mr. Christopher Webb Amherst County

Chairman Green called upon Mr. Butch Johnstone to give a brief report on the JAG (IT Related Program) Grants and the Byrne/Justice Assistance Grants for Criminal History Records Improvements.

Mr. Johnstone reported that the Criminal Justice Information Systems Committee (CJIS) met on May 3rd. Applications for continued funding of successful grant programs were reviewed during the meeting. A total of 14 applications were reviewed: 7 Byrne grants for criminal justice records systems improvements and 7 Byrne/Justice Assistance Grants (JAG) for Criminal History Records Improvements.

Mr. Johnstone further reported that Board members had in their information packets a description summary of each application and two spreadsheets detailing the Federal and matching local funds. The total amounts recommended for funding are: \$295,780 for the 7 Byrne programs and \$713,121 for the 7 Byrne/JAG programs. This amount is equal to the total amount requested.

Mr. Johnstone stated that there were some corrections made to the applications by DCJS staff for computational errors and an adjustment made to meet Federal guidelines. The CJIS recommends a change in the staff recommendation for J. Sargeant Reynolds' application. Instead of reducing the dollar amount for consultants, CJIS recommends granting the full amount of funding requested and requiring a negotiated increase in the number of hours the consultant will work (such that the Federally mandated limit of \$56.25 per hour is not exceeded). Mr. Johnstone

reported that this is the recommendation contained in your information. This concluded Mr. Johnstone's report. He then stated that he would be glad to answer any questions.

Chairman Green thanked Mr. Johnstone for his report on the JAG - IT Related Program Grants and asked the Board if they had any questions or comments. There were none.

Chairman Green then called for a motion for the Board to accept the recommendations of the Criminal Justice Information Systems Committee to approve the 7 Byrne grants for criminal justice records systems improvements. Mr. McGrady made a motion and Mr. Dowe seconded the motion. Chairman Green stated that it had been motioned and seconded that the Board accept the recommendations of the Criminal Justice Information Systems Committee as stated above.

Recusals:	Mr. Chris Webb	Amherst County
		Halifax County

Chairman Green also thanked Mr. Johnstone for his report on the CHRI Grants and asked the Board if they had any questions or comments. Dr. Malcan inquired about crime analysis software data mining. Mr. Johnstone answered his question satisfactorily.

Chairman Green called for a motion to accept the recommendations of the Criminal Justice Information Systems Committee. Mr. Dowe made the motion and Mr. Dion seconded. Chairman Green stated that it had been motioned and seconded that the Board accept the recommendations of the Criminal Justice Information Systems Committee as stated above.

Recusals:	None
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Old/New Business

Chairman Green asked the Board if there was any old business to be discussed. There was none.

Administrative Appeal Hearing

Chairman Green mentioned that at the March meeting, Chairwoman Arthur reported that the department had received notice from the Law Office of Thomas O. Bondurant, Jr., P.C., and a request for an Appeal Hearing before the Criminal Justice Services Board regarding the revocation of Mr. Travis V. Hall's Private Security Registration.

Chairman Green further stated that this appeal would be heard at the June 14th meeting. He stated that we would first conduct the business of the Board and then proceed with the hearing. He further stated that the meeting would begin at 10:30 a.m. in House Room "D" of the General Assembly Building, to allow for sufficient time for Board business and to hear the appeal. Lunch will be served.

Chairman Green further mentioned that staff is in the process of exploring the possibility of moving forward with a change in the *Code of Virginia* so the full Board does not have to participate in these appeal hearings in the future. DCJS staff has made contact with the AG's office to seek a change to the Virginia *Code* that would allow the Executive Committee to hear appeals of the decisions of the Director, in lieu of the full Board. The AG's office informed the department that if a statutory amendment is desired, Attorneys within the Special Prosecutions section would work with staff and others to draft appropriate legislation well in advance of the 2008 Session.

Also, at the last meeting, Chairwoman Arthur mentioned that she planned to convene an Executive Committee Meeting prior to this meeting to discuss the potential *code* change regarding appeal hearings. This Executive Committee Meeting has been postponed due to the absence of our Chairwoman. We do plan to hold this meeting at the June Board meeting.

New Business

Chairman Green called for new business from the Board. There was none. He then called for public comment. There was none.

Chairman Green mentioned that there was one Board member whose appointment expires on June 30, 2007: Mr. Kevin Hodges, who represents the interests of the Private Security Services industry. Mr. Hodges also sits on the Committee on Training, as a result of being a member of this Board. Mr. Hodges has completed his first term and is available for re-appointment for a second term of four years. Mr. Hodges has expressed his interest in serving on this Board for a second term. Staff is working with the Secretary of the Commonwealth's office, and have notified them of Mr. Hodges' interest and our approval for re-appointment. The Secretary of the Commonwealth's office will notify Mr. Hodges and DCJS once the Governor has made a decision.

Next Meeting Date

Chairman Green reminded the Board that the next meeting of the Criminal Justice Services Board is scheduled for June 14 at 10:30 a.m. with an Administrative Appeal Hearing to be heard.

Chairman Green thanked Board members for their attendance at the meeting today and noted that we truly appreciate member's attendance at all of the future meetings of the Board.

Adjournment

There being no further business to be discussed, this concluded the meeting of the Criminal Justice Services Board. Chairman Green called for a motion to adjourn at 12:00 p.m. Chairman Green made a motion and the Board unanimously seconded the motion.

Respectfully submitted,

Priscilla Bowers
CJSB Secretary

Approved:

Barry Green
Co-Chairman